IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

FRIDAY, THE 2ND NOVEMBER 2007 / 11TH KARTHIKA 1929

WP(C).No. 24582 of 2007(B)

PETITIONER:

P.PRASAD
KUTTIYIL HOUSE
IVERKALA EAST.P.O.,
KOLLAM DISTRICT

BY ADV. DR.K.P.SATHEESAN
SRI.K.K.GOPINATHAN NAIR
SRI.M.R.JAYAPRASAD
SRI.K.K.RAJEEV
SRI.P.MOHANDAS (ERNAKULAM)

RESPONDENTS:
---

1. STATE OF KERALA
REPRESENTED BY THE CHIEF SECRETARY
GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM

2. THE DISTRICT MEDICAL OFFICER (HEALTH)
KOLLAM

3. THE DISTRICT OFFICER
KERALA PUBLIC SERVICE COMMISSION
DISTRICT OFFICE, KOLLAM

BY GOVERNMENT PLEADER SRI. BIJOY CHANDRAN
ADV.SRI.ALEXANDER THOMAS, SC,KPSC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI,J.

W.P (C) No. 24582 of 2007

Dated this the 2nd November, 2007

J U D G M E N T

Petitioner was included in the ranked list published by the Public Service Commission for appointment to the post of Lower Division Clerk in Various Departments in Kollam District. Rank list came into existence on 8.7.2004. Rank list expired on 31.3.2006. During the currency of the ranked list certain persons approached this Court in W.P. (C)9028/2006 for a direction to report the then available vacancies to the Public Service Commission before the expiry of the ranked list. Exhibit-P1 order was issued by this Court on 29.3.2006. The said order will show that in so far as the 2nd respondent, the District Medical Officer is concerned, this Court was directed to report four vacancies. Advice against report was to be kept in abeyance pending further orders. By Exhibit-P2, W.P (C) No.9028/2006 was closed as infructuous by this Court. One vacancy was actually reported prior to 31.3.2006 to the Public Service Commission.

2. The petitioner in W.P. (C) No.9028/2006 had been advised for appointment even otherwise and it is therefore that he did not prosecute the writ petition as such. The fact remains that one vacancy in the post of Lower Division Clerk was reported to the Public Service Commission prior to the expiry of the rank list on 31.3.2006. As noted above, the rank list expired on 31.3.2006

Learned standing counsel for the Public Service Commission submits that one vacancy had been reported to the PSC prior to 31.3.2006. In the circumstances, this writ petition is disposed of directing the 3rd respondent to advice the next eligible candidate from the list in question, referred to in the writ petition, to the post of Lower Division Clerk in various Departments in Kollam District, within one month from the date of receipt of a copy of this judgment.

(V.GIRI, JUDGE)

ma

K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007